CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	Kuntz Small Volume Aggregate Permit #S-2100-05
Proposed Implementation Date:	May 2017
Proponent:	E. Cody Kuntz
Location:	Section 17, Township 4 North, Range 33 East (Common School Trust)
County:	Yellowstone County

I. TYPE AND PURPOSE OF ACTION

Mr. Kuntz is requesting that the DNRC Southern Land Office (SLO) issue a Small Volume Aggregate Permit for 500 cubic yards of material to be removed from an existing disturbed area generally located in the SW¼SW¼NW¼ of State Trust land in Section 17, Township 4 North, Range 33 East in Yellowstone County. This aggregate will be used in the construction of a new building on private land located immediately to the north of the Trust land. The area proposed for the Permit was previously mined in the 1950s during the construction of Highway 10, which is now the North Frontage Road. SLO staff visited the site with the proponent in 2014, but a permit was never issued. Since that time, Mr. Kuntz went in and mined material without authorization and this permit will rectify that and also address reclamation.

II. PROJECT DEVELOPMENT

1. PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED:

Provide a brief chronology of the scoping and ongoing involvement for this project.

No formal public scoping was performed by the Southern Land Office (SLO) for this proposed project. The state grazing lessee, Louise Jenkins, was contacted by the proponent.

A site visit of the proposed project area was conducted by Jeff Bollman, SLO Area Planner and Jocee Hedrick, SLO Land Use Specialist on 20 April 2017.

2. OTHER GOVERNMENTAL AGENCIES WITH JURISDICTION, LIST OF PERMITS NEEDED:

None.

3. ALTERNATIVES CONSIDERED:

Proposed Alternative: Approve the issuance of a Small Volume Aggregate Permit for 500 cubic yards of material to be removed from a previously mined area in the SW¼SW¼NW¼ of Section 17-T4N-R33E in Yellowstone County.

No Action Alternative: Deny the request to issue a Small Volume Aggregate Permit.

III. IMPACTS ON THE PHYSICAL ENVIRONMENT

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" If no impacts are identified or the resource is not present.*

4. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE:
Consider the presence of fragile, compactable or unstable soils. Identify unusual geologic features. Specify any special reclamation considerations. Identify any cumulative impacts to soils.

The topography of the proposed project area is flat. The area was previously mined for gravel in the 1950s and the reclamation at that time did not include saving the topsoil and placing it back on the mined area, which is approximately 6 acres in size. The floor of the old mined site consists mostly of fist-sized or smaller rocks with a scattering of vegetation. No significant impacts are anticipated by the granting of the Permit.

5. WATER QUALITY, QUANTITY AND DISTRIBUTION:
Identify important surface or groundwater resources. Consider the potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality. Identify cumulative effects to water resources.

There is no water source within the proposed project area. No significant impacts are anticipated.

6. AIR QUALITY:
What pollutants or particulate would be produced? Identify air quality regulations or zones (e.g. Class I air shed) the project would influence. Identify cumulative effects to air quality.

No significant impact is expected to air quality, although there may be a minor temporary increase in particulate emission during the removal and transporting of the aggregate material. No significant impacts are anticipated.

7. VEGETATION COVER, QUANTITY AND QUALITY:
What changes would the action cause to vegetative communities? Consider rare plants or cover types that would be affected. Identify cumulative effects to vegetation.

The area proposed for the Permit was previously mined in the 1950s and the reclamation essentially consisted of grading the mined area, but the topsoil was not set aside and placed back on top of the mined area. The site has very little vegetative cover due to the lack of topsoil and prevalence of rock and reclamation will try and make the best of what is on site. No significant impacts are expected by issuing the proposed Permit.

8. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS:
Consider substantial habitat values and use of the area by wildlife, birds or fish. Identify cumulative effects to fish and wildlife.

No significant impacts to terrestrial, avian and aquatic life and habitats are expected to occur as a result of implementing the proposed alternative.

9. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES:
Consider any federally listed threatened or endangered species or habitat identified in the project area. Determine effects to wetlands. Consider Sensitive Species or Species of special concern. Identify cumulative effects to these species and their habitat.

A proposed project area search of the Montana Natural Heritage Program database identified seven vertebrate animals that are listed as a species of concern or threatened species: Hoary Bat, Little Brown Myotis, Spotted Bat, Great Blue Heron, Greater-Sage Grouse, Spiny Softshell and Sauger. The project area does not contain habitat particularly suitable to any of these species, but they have been observed in the general area, mainly north near the Yellowstone River. In addition, the project area is located outside of Greater-Sage Grouse Core and General habitat. No significant impacts are expected from the proposed project.

10. HISTORICAL AND ARCHAEOLOGICAL SITES:
Identify and determine effects to historical, archaeological or paleontological resources.

The proposed project would occur in an area that was mined for gravel in the 1950s and is therefore a previously disturbed site. SLO staff was on site and did not note any cultural resources in the previously mined area. In addition, the DNRC Archaeologist was consulted and he did not recommend any further review. No adverse effects to state-owned Historic Properties are anticipated.

11. AESTHETICS:
Determine if the project is located on a prominent topographic feature, or may be visible from populated or scenic areas. What level of noise, light or visual change would be produced? Identify cumulative effects to aesthetics.

The proposed action would allow the removal of additional aggregate from a previously disturbed site that was not reclaimed. No significant impacts to aesthetics are expected by issuing the proposed Permit.

12. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY:
Determine the amount of limited resources the project would require. Identify other activities nearby that the project would affect. Identify cumulative effects to environmental resources.

No significant impacts to environmental resources of land, water, air or energy would occur as a result of implementing the proposed alternative.

13. OTHER ENVIRONMENTAL DOCUMENTS PERTINENT TO THE AREA:
List other studies, plans or projects on this tract. Determine cumulative impacts likely to occur as a result of current private, state or federal actions in the analysis area, and from future proposed state actions in the analysis area that are under MEPA review (scoped) or permitting review by any state agency.

There are no other known state or federal environmental reviews taking place in the subject area.

IV. IMPACTS ON THE HUMAN POPULATION

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" If no impacts are identified or the resource is not present.*

14. HUMAN HEALTH AND SAFETY:
Identify any health and safety risks posed by the project.

No significant adverse impacts to human health and safety would occur as a result of implementing the proposed alternative.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:
Identify how the project would add to or alter these activities.

No significant impacts to industrial, commercial and agricultural activities and production would occur as a result of implementing the proposed alternative.

16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT:
Estimate the number of jobs the project would create, move or eliminate. Identify cumulative effects to the employment market.

The proposed action will not have a significant impact on the quantity and distribution of employment.

17. LOCAL AND STATE TAX BASE AND TAX REVENUES:

Estimate tax revenue the project would create or eliminate. Identify cumulative effects to taxes and revenue.

The proposed action will not have an adverse impact on tax revenue.

18. DEMAND FOR GOVERNMENT SERVICES:

Estimate increases in traffic and changes to traffic patterns. What changes would be needed to fire protection, police, schools, etc.? Identify cumulative effects of this and other projects on government services

Implementation of the proposed alternative will not generate any additional demands on services provided by Yellowstone County.

19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS:

List State, County, City, USFS, BLM, Tribal, and other zoning or management plans, and identify how they would affect this project.

The area included in the proposed alternative is not located in an area that is zoned by Yellowstone County.

20. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES:

Identify any wilderness or recreational areas nearby or access routes through this tract. Determine the effects of the project on recreational potential within the tract. Identify cumulative effects to recreational and wilderness activities.

The subject Trust land has moderate recreational use potential; however, this potential is limited by the lack of legal public access to the site. The proposed action will not impact the recreational use access or quality of the tract.

21. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING:

Estimate population changes and additional housing the project would require. Identify cumulative effects to population and housing.

No significant adverse impacts to density and distribution of population and housing would occur as a result of implementing the proposed alternative.

22. SOCIAL STRUCTURES AND MORES:

Identify potential disruption of native or traditional lifestyles or communities.

There are no native, unique or traditional lifestyles or communities in the vicinity that would be impacted by the proposed alternative.

23. CULTURAL UNIQUENESS AND DIVERSITY:

How would the action affect any unique quality of the area?

The proposed alternative would not directly impact cultural uniqueness or diversity.

24. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:

Estimate the return to the trust. Include appropriate economic analysis. Identify potential future uses for the analysis area other than existing management. Identify cumulative economic and social effects likely to occur as a result of the proposed action.

The Common Schools Trust will receive a $25 application fee for a Small Volume Aggregate Permit along with $750.00 in royalties for the 500 cubic yards of aggregate ($1.50/yard) removed from the pit.

EA Checklist Prepared By:	Name: Jeff Bollman	Date: 18 April 2017
	Title: Southern Land Office Area Planner	

V. FINDING

25. ALTERNATIVE SELECTED:

The proposed alternative has been selected and it is recommended that a Small Volume Aggregate Permit for 500 cubic yards of aggregate material be granted to Mr. Kuntz.

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

The potential for significant impacts from the proposed action is minimal based on the type of action proposed, its location in a previously mined area and the relatively small area that will be disturbed by the action. Additionally, there were no other areas that were identified that would produce adverse impacts from the proposed action that will not be mitigated as listed below.

The mitigation measures that will be required by the issuance of the Permit include:

1. The Permittee shall notify the Southern Land Office when they have completed removal of aggregate from the site.
2. The Permittee shall submit a reclamation plan to the Southern Land Office for review and approval within one month of Permit issuance. The SLO shall have the ability to request modifications to the proposed reclamation plan.
3. The SLO shall conduct a site inspection of the mined area following reclamation to ensure that no further reclamation work is required of the Permittee.

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

[ ]	EIS	[ ]	More Detailed EA	[X]	No Further Analysis

EA Checklist Approved By:	Name: Matthew Wolcott	
	Title: Southern Land Office Area Manager	
Signature: /s/ Matthew Wolcott		Date: 5/25/17